# Executive Summary – Enforcement Matter – Case No. 50348 ALTOGA WATER SUPPLY CORPORATION

RN101436152 Docket No. 2015-0527-PWS-E

### **Order Type:**

Findings Agreed Order

### **Findings Order Justification:**

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

### Media:

**PWS** 

### **Small Business:**

Yes

## Location(s) Where Violation(s) Occurred:

Altoga WSC, 4365 Farm-to-Market Road 75 near Princeton, Collin County

## **Type of Operation:**

Public water supply

# **Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this

matter but does not wish to speak at Agenda. **Texas Register Publication Date:** July 3, 2015

Comments Received: No

# **Penalty Information**

Total Penalty Assessed: \$1,205

Amount Deferred for Expedited Settlement: \$0 Amount Deferred for Financial Inability to Pay: \$0

**Total Paid to General Revenue:** \$1,205 **Total Due to General Revenue:** \$0

Payment Plan: N/A

# Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

# **Compliance History Classifications:**

Person/CN - N/A Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A Applicable Penalty Policy: April 2014

## Executive Summary – Enforcement Matter – Case No. 50348 ALTOGA WATER SUPPLY CORPORATION RN101436152 Docket No. 2015-0527-PWS-E

### **Investigation Information**

Complaint Date(s): January 6, 2015 through January 7, 2015

**Complaint Information**: Alleged that the water was dirty, there was a strong chlorine smell, and periodically it smelled of sewage. Alleged that there were parasites in the drinking water and provided sample analysis results as documentation.

**Date(s) of Investigation:** January 6, 2015 and January 7, 2015

Date(s) of NOE(s): February 24, 2015

### **Violation Information**

- 1. Failed to maintain a minimum disinfectant residual of 0.2 milligrams per liter ("mg/L") free chlorine in the water entering the distribution system and throughout the distribution system at all times [30 Tex. Admin. Code §§ 290.46(d)(2)(A) and 290.110(b)(2) and (b)(4) and Tex. Health & Safety Code § 341.0315(c)].
- 2. Failed to complete a Customer Service Inspection ("CSI") certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe that cross connections or other potential contamination hazards exist [30 Tex. Admin. Code § 290.46(j)].

# Corrective Actions/Technical Requirements

# **Corrective Action(s) Completed:**

The Respondent has implemented the following corrective measures:

- a. On January 7, 2015, free chlorine measured in the water entering the distribution system was a minimum of 0.2 mg/L; and
- b. By May 5, 2015, the Respondent submitted copies of CSI certificates for the following active service connections:

(1)	4383 County Road 463	(9) 714 High Point Drive
(2)	787 High Point Drive	(10) 7916 County Road 466
(3)	8004 County Road 466	(11) 4320 County Road 463
(4)	755 High Point Drive	(12) 707 High Point Drive
(5)	8010 County Road 466	(13) 4390 County Road 463
(6)	4337 County Road 463	(14) 750 High Point Drive
(7)	4233 County Road 463	(15) 4255 County Road 463
(8)	4464 County Road 463	

# Executive Summary – Enforcement Matter – Case No. 50348 ALTOGA WATER SUPPLY CORPORATION

### RN101436152 Docket No. 2015-0527-PWS-E

## **Technical Requirements:**

The Order will require the Respondent to:

- a. Immediately, begin maintaining a minimum disinfectant residual of 0.2 mg/L free chlorine throughout the distribution system at all times;
- b. Within 15 days, submit written certification to demonstrate compliance with a.;
- c. Within 30 days, update the Facility's operational guidance and conduct employee training to ensure that a disinfectant residual concentration of at least 0.2 mg/L free chlorine is maintained in the water entering the distribution system and throughout the distribution system at all times. This provision will be satisfied upon six months of compliant weekly monitoring and reporting; and
- d. Within 225 days, submit written certification to demonstrate compliance with c.

## Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

## **Contact Information**

TCEQ Attorney: N/A

**TCEQ Enforcement Coordinator:** Jim Fisher, Enforcement Division, Enforcement Team 2, MC 169, (512) 239-2537; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Robert Lockhart, President, ALTOGA WATER SUPPLY

CORPORATION, P.O. Box 547, Princeton, Texas 75407

**Respondent's Attorney:** N/A



#### Penalty Calculation Worksheet (PCW) Policy Revision 4 (April 2014) PCW Revision March 26, 2014 Assigned 23-Feb-2015 PCW 8-Apr-2015 Screening 7-Apr-2015 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent ALTOGA WATER SUPPLY CORPORATION Reg. Ent. Ref. No. RN101436152 Facility/Site Region 4-Dallas/Fort Worth Major/Minor Source Minor CASE INFORMATION Enf./Case ID No. 50348 No. of Violations 2 Docket No. 2015-0527-PWS-E Order Type Findings Media Program(s) Public Water Supply Government/Non-Profit Yes Multi-Media Enf. Coordinator Jim Fisher EC's Team Enforcement Team 2 Admin. Penalty \$ Limit Minimum \$50 Maximum \$1,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$800 Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History 60.0% Enhancement Subtotals 2, 3, & 7 \$480 Enhancement for three agreed orders containing a denial of liability. Notes Culpability No 0.0% Enhancement Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 -\$75 0.0% Enhancement\* Subtotal 6 \$0 Total EB Amounts Capped at the Total EB \$ Amount \$138 Estimated Cost of Compliance \$1,700 \$1,205 SUM OF SUBTOTALS 1-7 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% \$0 Adjustment

Final Penalty Amount

Final Assessed Penalty

Reduction Adjustment

0.0%

No deferral is recommended for Findings Orders.

\$1,205

\$1,205

\$1,205

\$0

Reduces or enhances the Final Subtotal by the indicated percentage.

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g.

DEFERRAL

Notes

Notes

PAYABLE PENALTY

Screening Date 7-Apr-2015

Docket No. 2015-0527-PWS-E

PCW

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Respondent ALTOGA WATER SUPPLY CORPORATION

Case ID No. 50348

Reg. Ent. Reference No. RN101436152

Media [Statute] Public Water Supply

Enf. Coordinator Jim Fisher

**Compliance History Worksheet** >> Compliance History Site Enhancement (Subtotal 2)

Orders Neeting criteria )  Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission of liability of this state or the federal government, or any final prohibitory emergency orders issued by the commission of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)  Any non-adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of or the federal government (number of counts)  Convictions  Any criminal convictions of this state or the federal government (number of counts)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were of adisclosed)  Environmental management systems in place for one year or more  Other  Other  Environmental management systems in place for one year or more  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  No 0%  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotal 2 at Violator (Subtotal 3)	omponent	Number of	Enter Number Here	Adjust
Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)  Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission  Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of judgments or the federal government (number of consent decrees without a denial of liability, of this state or the federal government (number of counts)  Emissions  Chronic excessive emissions events (number of events)  O'%  Enters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  O'%  Environmental management systems in place for one year or more  No  O'%  Please Enter Yes or No  O'%  Environmental management systems in place for one year or more  No  O'%  Adjustment Percentage (Subtotal 2)  at Violator (Subtotal 3)  Adjustment Percentage (Subtotal 3)	NOVs		0	0%
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without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts)  Any criminal convictions of this state or the federal government (number of counts)  Emissions  Chronic excessive emissions events (number of events)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Environmental management systems in place for one year or more  No 0%  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotal 2 at Violator (Subtotal 3)  MAA  Adjustment Percentage (Subtotal 3)			3	60%
Judgments and Consent Decrees  Of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts)  Convictions  Any criminal convictions of this state or the federal government (number of counts)  Chronic excessive emissions events (number of events)  O 0%  Emissions  Chronic excessive emissions events (number of events)  O 0%  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Please Enter Yes or No  Owder a special assistance program  Other  Other  Environmental management systems in place for one year or more  No 0%  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotal 2)  at Violator (Subtotal 3)  Adjustment Percentage (Subtotal 3)	Orders	without a denial of liability, or default orders of this state or the federal		0%
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Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Environmental management systems in place for one year or more  No  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotal 2 at Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)	Convictions		0	0%
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Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Environmental management systems in place for one year or more  No  Other  Other  Other  Participation in a voluntary pollution reduction program  Participation in a voluntary pollution reduction program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotal 2)  Adjustment Percentage (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  Adjustment Percentage (Subtotal 3)		Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature,	2.2	0%
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Other  Other  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotal 2 at Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  Adjustment Percentage (Subtotal 3)		Ple	ease Enter Yes or No	
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Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotal 2 at Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  Adjustment Percentage (Subtotal 3)	Other		No	0%
government environmental requirements  Adjustment Percentage (Subtotal 2 at Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3 adju				0%
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Compliance  History  Notes  Enhancement for three agreed orders containing a denial of liability.	History	Enhancement for three agreed orders containing a denial of liability		

Respondent ALTOCK WATER SUPPLY CORPORATION Red, Ent. Reference No. PRIOLES SUPPLY Red, Ent. Reference No. PRIOLES SUPPLY Red (Startie ) Author Water Supply Ent. Coordinator In Property Rule Cite(s) 30 Tex. Admin. Code \$§ 290.46(3)(2)(A) and 290.110(b)(2) and (b)(4) and Tex. Health & Sefery Code \$§ 441.0355(c)  Folied to maintain a minimum disorricator fresidual of Q.Z. millurarine per lear ("mg/l.") fire chones in the water reterring the distribution system and at times. Specifically, it was occumented that on almost 6, 2015, file water entering the distribution system and in free entering the distribution system and at times. Specifically, it was occumented that on almost 6, 2015, file water entering the distribution system and in free entering the distribution system and in free entering the distribution system and at times. Specifically, it was occumented that fire also almost 6 of 0.5 mg/l. at 455 arms on the rack Road 75 and Courts Road 980, 400 and at the file was view on Courts Road 426 and 0.03 mg/l. at 516 and 700	Screening Date	• and a contract of the contra	PCW
Reg. Ent. Reference No. RIVIDIA56152   Media [Statute] > Debit water Supply			1 1
Media   Statutie   Public Water Supply   Enf. Coordinator   Im Finer   Im Finer   Violation Number   Im Finer   Im Finer   Violation Number   Im Finer			rcw kevision March 26, 2014
Fair Coordinator Jum Fahre   Violation Number   30 Tex. Admin. Code \$§ 290.46(d)(2)(A) and 290.110(b)(2) and (p)(4) and Tex. Health & Sefety Code § 341.0015(c)			
Rule Cite(s)  30 Tex. Admin. Code §§ 290.46(g)(2)(A) and 290.18(b)(2) and (b)(4) and Tex. Health & Sefery Code § 341.0315(c)  Falled to maintain a minimum disnertant residual of 0.2 milligrams per liter ("mg/L") free chlorche in the water entering the distribution system and throughout the distribution system at all times. Specifically, it was documented tot an January 6, 2015, the water entering the distribution system and throughout the water entering the distribution system and throughout the distribution system and received and 3.138, Addinasty. The following fire chindre residuals within the distribution system were 0.03 mg/L at \$arm-to-Market Road 127 and Country Road 988, 0.02 mg/L at the flush valve on Country Road 463 and 0.03 mg/L at Suff Point Circle.  Service Major Moderate Minor Percent 5.0%  >> Environmental, Property and Hurson Health Matrix.  Harm Release Major Moderate Minor Percent 5.0%  >> Environmental, Property and Hurson Health Matrix.  Harm Release Major Moderate Minor Percent 5.0%    Note	Enf. Coordinator		
Safety Code § 341.0315(c)	Violation Number		
Failed to maintain a minimum disinfectant residual of 0.2 milligrams per liter ("mg/L") free chlorine in the water entering the distribution system and throughout the distribution system at all times. Specifically, it was documented that on January 6, 2015, the water entering the distribution system and all times. Specifically, it was documented that on January 6, 2015, the water entering the distribution system and free chlorine residuals of 0.05 mg/L at 14365 Farm-to-Market Road 73 and 0.10 mg/L at 700.5 Courty Road 21218. Additionally, the following free chlorine residuals were measured in the distribution system to 0.13 mg/L at 7 mm-to-Market Road 1827 and Country Road 985, 0.02 mg/L at the flush valve on Country Road 463 and 0.03 mg/L at 5th Point Circle.  Sase Penalty \$1,000  > Environmental, Propecty and Human Health Natrix.    Natron   Percent   5.0%	Rule Cite(s)		c. Health &
chlorine in the water entering the distribution system and throughout the distribution system at all times. Societically, it was documented that on ahaura, 6, 2015, the water entering the distribution system had free chlorine residuals of 0.05 mg/l, at 4365 Farmito-Market Road 75 and 0.10 mg/l, at 7001 County Road 1218. Additionally, the following free chlorine residuals were measured in the distribution system with the distribution system water to contain a contained to the first strength of the first strength of the distribution system were 0.33 mg/l, at 1365 Farmito-Market Road 1827 and county Road 388, 0.02 mg/l, at the flush valve on County Road 463 and 0.03 mg/l, at 54ff Point Circle.  See Penalty  Stribution system were 0.03 mg/l, at Farmito-Market Road 1827 and County Road 388, 0.02 mg/l, at the flush valve on County Road 463 and 0.03 mg/l, at 54ff Point Circle.  Base Penalty  Stribution System were 0.03 mg/l, at Farmito-Market Road 1827 and County Road 388, 0.02 mg/l, at 54ff Point Circle.  Base Penalty  Stribution System were 0.03 mg/l, at Farmito-Market Road 1827 and County Road 388, 0.02 mg/l, at 54ff Point Circle.  Base Penalty  Stribution System were 0.03 mg/l, at 54ff Point Circle.  Percent  Release Major Moderate Minor  Percent  One single event is recommended.  One single event is recommended.  One single event is recommended.  Cond Faith Efforts to Comply  Contaminated water to customers of the Facility which would not exceed levels protective of human health.  Notes One single event is recommended.  One single event is recommended.  One single event is recommended.  Faiture to maintain proper levels of disinfection could result in the delivery of a significant amount of contaminated water to customers of the Facility which would not exceed levels protective of human health.  Notes One single event is recommended.  One single event is recommended	NAME OF THE OWNER OWNER OF THE OWNER OWNER OF THE OWNER OWNE	Salety Code 3 341,0313(c)	
Adjustment   Specifically, it was documented that on January 6, 2015, the water entering the districtions system had free chlorine residuals of 0.05 mg/L at 3705 Farm-to-Market Road 75 and 0.10 mg/L at 7001 County Road 1218. Additionally, the following free chlorine residuals of were measured in the distribution system; 0.13 mg/L at Farm to-Market Road 287 and County Road 988, 0.04 mg/L at the flush valve on County Road 483 and 0.03 mg/L at Stoff county Road 988, 0.02 mg/L at the flush valve on County Road 483 and 0.03 mg/L at Stoff county Road 988, 0.02 mg/L at the flush valve on County Road 483 and 0.03 mg/L at Stoff county Road 988, 0.02 mg/L at the flush valve on County Road 483 and 0.03 mg/L at Stoff part of County Road 988, 0.02 mg/L at the flush valve on County Road 483 and 0.03 mg/L at Stoff part of County Road 988, 0.02 mg/L at Stoff p	· ·	Failed to maintain a minimum disinfectant residual of 0.2 milligrams per liter ("n	ng/L") free
Violation Description   Additionally, the following free chlorine residuals of 0.0 Bm (at 7001 County Road 1218. Additionally, the following free chlorine residuals were measured in the distribution system: 0.13 mg/t. at Farm-to-Harket Road 1237 and County Road 988, 0.00 mg/s. the flush valve on County Road 383 and 0.03 mg/s. at Shiff Point Circle. On January 7, 2015, it was documented that free chlorine residuals within the distribution system were 0.03 mg/s. at the flush valve on County Road 463 and 0.03 mg/s. at Shiff Point Circle. Statistically system were 0.03 mg/s. at the flush valve on County Road 463 and 0.03 mg/s. at Shiff Point Circle. Shift Poin	·		
Violation Description  and 6.10 mg/L at 7001 County Road 1218. Additionally, the following free chlorine residuals were measured in the distribution system. Call mg/L at Farth C-Market Road 1827 and County Road 988, 0.04 mg/L at the flush valve on County Road 463 and 0.03 mg/L at Stiff Point Circle. On January 7, 2015, it was documented that free chlorine residuals within the distribution system were 0.03 mg/L at Farth to-Market Road 1827 and County Road 988, 0.02 mg/L at Farth to-	No. of the control of		·
Were measured in deatholous year of county Road 463 and 0.03 mg/L at Suff Point Circle.    Base Penalty	Violation Description		
Point Circle. On January 7, 2015, it was documented that free chlorine residuals within the distribution system were 0.03 mg/L at Farrier-Market Road 1827 and County Road 988, 0.02 mg/L at the flush valve on County Road 463 and 0.03 mg/L at Stiff Point Circle.  Base Penalty \$1,000  > Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Percent 5.0%  > Programmatic Matrix Failure to maintain proper levels of disinfection could result in the delivery of a significant amount of contaminated water to customers of the Facility which would not exceed levels protective of human health.  Matrix Notes Number of Violation Events  Number of Violation Events  Number of Violation Events  One single event is recommended.  Good Faith Efforts to Comply Ordinary O	-		
Base Penalty   \$1,000		Point Circle. On January 7, 2015, it was documented that free chlorine residuals	s within the
Sase Penalty   S1,000			
>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Actual Percent 5.0%  >> Programmatic Matrix Falsification Major Moderate Minor Percent 0.0%  Matrix Notes Fallure to maintain proper levels of disinfection could result in the delivery of a significant amount of contaminated water to customers of the Facility which would not exceed levels protective of human health.  Adjustment \$950  \$50  Violation Events  Number of Violation Events 1 2 Number of violation days  **Gary Weeky Control one With an x**  **Gary Weeky Control one With an x**  **Gary Weeky Control one With an x**  **Gary Weeky Control one Sense on the Facility of the Extraordinary Control on the Sense of the Facility which would not exceed levels protective of human health.  **Good Faith Efforts to Comply 0.0%  **One single event is recommended.**  **Good Faith Efforts to Comply 0.0%  **One single event is recommended.**  **One single event is recommended.**  **Good Faith Efforts to Comply 0.0%  **NA x** (mark with x)  **NA x** (mark with x)  **Notes**  **The Respondent does not meet the good fath criteria for this violation.**  **Violation Subtotal \$50  **Economic Benefit (EB) for this violation \$50  **Estimated EB Amount \$104  **Violation Final Penalty Total \$80			
>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Actual Percent 5.0%  >> Programmatic Matrix Falsification Major Moderate Minor Percent 0.0%  Matrix Notes Fallure to maintain proper levels of disinfection could result in the delivery of a significant amount of contaminated water to customers of the Facility which would not exceed levels protective of human health.  Adjustment \$950  \$50  Violation Events  Number of Violation Events 1 2 Number of violation days  **Gary Weeky Control one With an x**  **Gary Weeky Control one With an x**  **Gary Weeky Control one With an x**  **Gary Weeky Control one Sense on the Facility of the Extraordinary Control on the Sense of the Facility which would not exceed levels protective of human health.  **Good Faith Efforts to Comply 0.0%  **One single event is recommended.**  **Good Faith Efforts to Comply 0.0%  **One single event is recommended.**  **One single event is recommended.**  **Good Faith Efforts to Comply 0.0%  **NA x** (mark with x)  **NA x** (mark with x)  **Notes**  **The Respondent does not meet the good fath criteria for this violation.**  **Violation Subtotal \$50  **Economic Benefit (EB) for this violation \$50  **Estimated EB Amount \$104  **Violation Final Penalty Total \$80		R	ase Penalty \$1,000
Harm   Actual   Notes   Note	<u> </u>		32/333
Release Major Moderate Minor Actual Potential X Percent 5.0%  > Programmatic Matrix Falsification Major Moderate Minor Percent 0.0%  Matrix Notes Pallure to maintain proper levels of disinfection could result in the delivery of a significant amount of contaminated water to customers of the Facility which would not exceed levels protective of human health.  Adjustment 9950  \$550  Violation Events Number of Violation Events 1 2 Number of violation days  **Weekly Matrix Weekly Moderate Minor  **Percent 0.0%  **Adjustment 9950  **Story Violation Base Penalty 550  **Story Violation Base Penalty 550  **One single event is recommended.**  Good Faith Efforts to Comply 0.0%  **Before Not/Nov to EDPR/Settlement Offer Extraordinary Ordinary O	>> Environmental, Proper		
>>Programmatic Matrix Failure to maintain proper levels of disinfection could result in the delivery of a significant amount of contaminated water to customers of the Facility which would not exceed levels protective of human health.    Adjustment			-
Percent 0.0%  Matrix Faisification Major Moderate Minor Percent 0.0%  Matrix Notes Failure to maintain proper levels of disinfection could result in the delivery of a significant amount of contaminated water to customers of the Facility which would not exceed levels protective of human health.  Adjustment \$950  \$50  Violation Events  Number of Violation Events 1 2 Number of violation days  daily weekly monthly weekly monthly weekly monthly mark only one quarterly semiannual semiannual semiannual semiannual single event   x  One single event is recommended.  Good Faith Efforts to Comply 8-fore NOF/NOV NOF/NOV to EDPRE/Settlement Offer Extraordinary Ordinary N/A x (mark with x)  Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation \$50  Estimated EB Amount \$104  Violation Final Penalty Total \$80		Dancart 5 000	
Falsification Major Moderate Minor  Percent 0.0%  Matrix Notes  Failure to maintain proper levels of disinfection could result in the delivery of a significant amount of contaminated water to customers of the Facility which would not exceed levels protective of human health.  Adjustment 9950  450  Violation Events  Number of Violation Events 1 Number of violation days  Violation Base Penalty 950  One single event is recommended.  Good Faith Efforts to Comply 0.0%  Extraordinary Ordinary NA X (mark with x)  Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal 950  Economic Benefit (EB) for this violation 5104  Violation Final Penalty Total 580	Potential	X Percent 5.0%	
Percent			
Matrix Notes Failure to maintain proper levels of disinfection could result in the delivery of a significant amount of contaminated water to customers of the Facility which would not exceed levels protective of human health.  Adjustment \$950  \$50  Violation Events  Number of Violation Events 1 2 Number of violation days  Week-My monthly quarterly semannual amount is ingle event	Falsification	<del></del>	
Notes   Contaminated water to customers of the Facility which would not exceed levels protective of human health.    Adjustment	<u> </u>	Percent 0.0%	
Notes   Contaminated water to customers of the Facility which would not exceed levels protective of human health.    Adjustment			
Adjustment \$950  \$50  Violation Events  Number of Violation Events 1 2 Number of violation days    Mark only one with an x   Wiolation Base Penalty   Wiolation Base Penalty   Wiolation Base Penalty   S50    One single event   X	1		
Violation Events  Number of Violation Events	Notes Contaminate	a water to customers of the roomey which would not exceed levels protective of hun	man nedicis
Violation Events  Number of Violation Events	<u> </u>		+0.50
Violation Events		Adjustment	\$950
Number of Violation Events 1 2 Number of violation days    daily			\$50
Company   Comp	Violation Events		
Company   Comp	NI	Colorina Constantina de Colorina de Colori	***************************************
Weekly	Number of V	iolation Events 2 invulniber of violation days	
mark only one with an x    Mark only one with an x   Mark only one with an x   Mark only one with an x   Mark only one with an x   Mark only one with an x   Mark only one with an x   Mark only one with an x   Mark only one with an x   Mark only one single event   X   Mark one single event   X   Mark only one single event   X   Mark only one single event   X   Mark only one single event   X   Mark one single event   X   Mark only one single event   X   Mark one sing	чинини	daily	
Good Faith Efforts to Comply    Complement	мини		
Good Faith Efforts to Comply  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  Estimated EB Amount \$104  Violation Final Penalty Total \$80			ase Penalty \$50
Good Faith Efforts to Comply  One single event is recommended.  Reduction  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A x ((mark with x)) Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$104  Violation Final Penalty Total \$80	with an x		
Good Faith Efforts to Comply  Defore NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x ((mark with x) Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  \$104  Violation Final Penalty Total \$80			
Good Faith Efforts to Comply  Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  Statutory Limit Test Estimated EB Amount \$104  Violation Final Penalty Total \$80		Single even X	
Good Faith Efforts to Comply    Before NOE/NOV   NOE/NOV to EDPRP/Settlement Offer		One single event is recommended.	
Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation  Statutory Limit Test Estimated EB Amount \$104  Violation Final Penalty Total \$80	<u>L</u>		
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$104 Violation Final Penalty Total \$80	Good Faith Efforts to Com	ply 0.0% Reduction	\$0
Ordinary  N/A		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
Notes    Notes   The Respondent does not meet the good faith criteria for this violation.			
Notes The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$50  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$104  Violation Final Penalty Total \$80			
Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$104  Violation Final Penalty Total \$80			
Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$104  Violation Final Penalty Total \$80		Notecii	
Economic Benefit (EB) for this violation  Statutory Limit Test  Estimated EB Amount \$104  Violation Final Penalty Total \$80			***************************************
Estimated EB Amount \$104 Violation Final Penalty Total \$80		Violatio	on Subtotal \$50
Estimated EB Amount \$104 Violation Final Penalty Total \$80	Economic Benefit (EB) for	this violation Statutory Limit Test	
		<u> </u>	
This violation Final Assessed Penalty (adjusted for limits) \$80	Estimate	a EB Amount   \$104  Violation Final Pe	naity lotal \$80
		This violation Final Assessed Penalty (adjusted	for limits) \$80

Case ID No. eg. Ent. Reference No. Media	50348	ER SUPPLY CORPO	KATION				
eg. Ent. Reference No. Media							
Media	KN101436152						
	D 1.12 . 142 . 1						
	Public Water S	supply				<b>Percent Interest</b>	Years of
Violation No.	1						Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
				**********			
Delayed Costs	<del> </del>	7		<del></del>			
Equipment				0.00	\$0	\$0	\$0
Buildings		<del> </del>		0.00	\$0	\$0	\$0
Other (as needed) Engineering/Construction			***************************************	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Land		<del> </del>		0.00	\$0 \$0	5/n	\$0 \$0
Record Keeping System				0.00	\$0 \$0	n/a	\$0 \$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	6-Jan-2015	31-Oct-2015	0.82	\$4	n/a	\$4
Notes for DELAYED costs	Harrier of a self of		ac a distillication	it resial	iai concentration o	of at least 0.2 mg/L	free chlorine is
	11		ng the distribu	tion sys	stem and within th	of at least 0.2 mg/L e distribution syster ed date of complian	n at all times,
Avoided Costs	c	alculated from the	ng the distribu date of the inv	tion sys restigat	stem and within the ion to the estimat	e distribution syster	n at all times, ce.
Avoided Costs	c	alculated from the	ng the distribu date of the inv	tion sys vestigat <b>enteri</b> r 0.00	stem and within th ion to the estimat ig item (except \$0	e distribution syster ed date of complian  for one-time avoid  \$0	n at all times, ce. <b>led costs)</b> \$0
Disposal Personnel	c	alculated from the	ng the distribu date of the inv	tion sys restigat <b>enterii</b> 0.00 0.00	stem and within th tion to the estimat ag item (except \$0 \$0	e distribution syster ed date of compliant for one-time avoid \$0 \$0	n at all times, ce. led costs) \$0 \$0
Disposal Personnel spection/Reporting/Sampling	c	alculated from the	ng the distribu date of the inv	enterii 0.00 0.00	stem and within th tion to the estimat ng item (except \$0 \$0 \$0	e distribution syster ed date of compliant for one-time avoid \$0 \$0 \$0	n at all times, ce. <b>led costs)</b> \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	c	alculated from the	ng the distribu date of the inv	enterir   0.00   0.00   0.00   0.00	stem and within the cion to the estimation to the estimating item (except \$0 \$0 \$0 \$0	e distribution syster ed date of compliant for one-time avoid \$0 \$0 \$0 \$0	n at all times, ce. led costs) \$0 \$0 \$0 \$0
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Disposal Personnel Ispection/Reporting/Sampling Supplies/Equipment	c	alculated from the	ng the distribu date of the inv	enterir   0.00   0.00   0.00   0.00	stem and within the cion to the estimation to the estimating item (except \$0 \$0 \$0 \$0	e distribution syster ed date of compliant for one-time avoid \$0 \$0 \$0 \$0	n at all times, ce. led costs) \$0 \$0 \$0 \$0

Screening Date		PCW
		icy Revision 4 (April 2014)
Case ID No. Reg. Ent. Reference No.		V Revision March 26, 2014
Media [Statute]		2000
Enf. Coordinator	- I was a second of the second	
Violation Number Rule Cite(s)	STATE OF THE STATE	7
nale one(s)	30 Tex. Admin. Code § 290.46(j)	
	Entled to complete a systemar convice inspection ("CCI") contificate prior to providing	
	Failed to complete a customer service inspection ("CSI") certificate prior to providin continuous service to new construction or any existing service when the water	.91
Violation Description		
rescention	contamination hazards exist. Specifically, the Respondent did not complete CSI certificates for 15 service connections listed in Attachment 1.	
	Base Penalt	<b>y</b> \$1,000
		*
>> Environmental, Prope	ty and Human Health Matrix Harm	
Release	Major Moderate Minor	
OR Actual Potential	Percent 0.0%	
>>Programmatic Matrix Falsification	Major Moderate Minor	
Tuismedeon	x:	
		<del>-</del> 1
Matrix	100% of the rule requirement was not met.	
Notes		
	Adjustment \$95	<u> </u>
	Aujustinent \$7.0	
		\$50
Violation Events		
Number of '	/iolation Events 15 91 Number of violation days	
	daily (FEETHERIE)	
· · · · · · · · · · · · · · · · · · ·	weekly (HERITHEE)	
mark only one with an x	monthly quarterly Violation Base Penalt	y \$750
With an X	semiannual Hallinguis	-
	annual	***************************************
Fifteen single	events are recommended (one event for each connection without a completed CSI).	
Thecen single		
Good Faith Efforts to Com	ply 10.0% Reduction	\$75
Ovoca and Enorts to Com	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	9/3
***************************************	Extraordinary	
	Ordinary	
ummumu.		
· managarian	Notes The Respondent retuned to compliance by May 5, 2015.	
	Violation Subtota	\$675
Economic Benefit (EB) for	this violation Statutory Limit Test	
		#1 125
ESTIMAT	•	
	This violation Final Assessed Penalty (adjusted for limits	\$1,125

Violation No.	Public Water S 2	Supply			TO THE TANK	Percent Interest	Years of Depreciation
						5.0	1!
		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment	r	1		0.00	\$0	\$0	\$0
Buildings		<u> </u>		0.00	\$0 \$0	\$0 \$0	<u>∌0</u> \$0
Other (as needed)	\$1,500	6-Jan-2015	5-May-2015	0.33	\$2	\$33	\$34
Engineering/Construction	31,000	0.3011.2013	2 1.101 2012	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Land				0.00	\$0 \$0	n/a	\$0 \$0
Record Keeping System				0.00	\$0 \$0	n/a	\$0 \$0
Training/Sampling				0.00	\$0	n/a	\$0 \$0
Remediation/Disposal		1		0.00	\$0 \$0	n/a	\$0
Permit Costs		t					
				וחחחו	¢∩. I	n/a	¢Λ
Other (as needed)						n/a n/a tificates (\$100 per 0	
1	15 certifica	tes), calculated fr	om the date of	0.00 nt to co the inv compl	\$0 mplete 15 CSI cer estigation to the d eted.	n/a tificates (\$100 per 0 ate the 15 CSI certi	\$0 CSI certificate ficates were
Other (as needed)  Notes for DELAYED costs  Avoided Costs	15 certifica	tes), calculated fr	om the date of	0.00  It to co the inv compl	\$0 mplete 15 CSI cer estigation to the d eted.  ng item (except i	n/a tificates (\$100 per ( ate the 15 CSI certi or one-time avoic	\$0 CSI certificate ficates were
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal	15 certifica	tes), calculated fr	om the date of	0.00  It to co the inv comple enterin 0.00	\$0 mplete 15 CSI cer estigation to the d eted.  ng item (except i	n/a tificates (\$100 per 0 ate the 15 CSI certi for one-time avoic \$0	\$0 CSI certificate ficates were  led costs) \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel	15 certifica	tes), calculated fr	om the date of	o.00  Int to co the inv compl  compl  o.00  0.00	\$0 mplete 15 CSI cer estigation to the d eted.  ng item (except   \$0 \$0	n/a tificates (\$100 per 0 ate the 15 CSI certi for one-time avoid \$0 \$0 \$0	\$0  CSI certificate ficates were  ded costs)  \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel tion/Reporting/Sampling	15 certifica	tes), calculated fr	om the date of	t to co the inv compl enterin 0.00 0.00	\$0 mplete 15 CSI cer estigation to the d eted.  ng item (except 1 \$0 \$0 \$0	n/a tificates (\$100 per 0 ate the 15 CSI certi for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0  CSI certificate ficates were  ded costs)  \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel tion/Reporting/Sampling Supplies/Equipment	15 certifica	tes), calculated fr	om the date of	0.00  It to co the inv compl  enterir 0.00 0.00 0.00 0.00	\$0  mplete 15 CSI cer estigation to the d eted.  ng item (except   \$0 \$0 \$0 \$0 \$0 \$0	n/a tificates (\$100 per 0 ate the 15 CSI certi  or one-time avoid \$0 \$0 \$0 \$0 \$0	\$0  CSI certificate ficates were  fed costs)  \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel tion/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	15 certifica	tes), calculated fr	om the date of	0.00  Int to co the inv compl  enterin  0.00  0.00  0.00  0.00  0.00	\$0  mplete 15 CSI cer estigation to the d eted.  ng item (except i \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a tificates (\$100 per ( ate the 15 CSI certi for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0  CSI certificate : ficates were  led costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  Disposal Personnel tion/Reporting/Sampling Supplies/Equipment Financial Assurance [2] E-TIME avoided costs [3]	15 certifica	tes), calculated fr	om the date of	0.00  Int to co the inv compl  enterin  0.00  0.00  0.00  0.00  0.00  0.00	\$0  mplete 15 CSI cer estigation to the deted.  ng item (except   \$0	n/a tificates (\$100 per 0 ate the 15 CSI certi  for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0  CSI certificate ficates were   ### So
Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel tion/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	15 certifica	tes), calculated fr	om the date of	0.00  Int to co the inv compl  enterin  0.00  0.00  0.00  0.00  0.00	\$0  mplete 15 CSI cer estigation to the d eted.  ng item (except i \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a tificates (\$100 per ( ate the 15 CSI certi for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0  CSI certificate ficates were  led costs)  \$0  \$0  \$0  \$0  \$0  \$0  \$0



# **TCEQ** Compliance History Report

PUBLISHED Compliance History Report for CN600653646, RN101436152, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, CN600653646, ALTOGA WATER SUPPLY Classification: NOT APPLICABLE

Rating: N/A

or Owner/Operator:

CORPORATION

Classification: NOT APPLICABLE

Regulated Entity:

RN101436152, ALTOGA WSC

Rating: N/A

**Complexity Points:** 

N/A

Repeat Violator: N/A

CH Group:

14 - OTHER

Location:

4365 FARM-TO-MARKET ROAD 75 NEAR PRINCETON, COLLIN COUNTY, TEXAS

**TCEQ** Region:

**REGION 04 - DFW METROPLEX** 

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0430026

WATER LICENSING LICENSE

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

Date Compliance History Report Prepared: April 07, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: April 07, 2010 to April 07, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Jim Fisher

Phone: (512) 239-2537

### **Site and Owner/Operator History:**

1) Has the site been in existence and/or operation for the full five year compliance period?

YES NO

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

3) If **YES** for #2, who is the current owner/operator? 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A N/A

5) If **YES**, when did the change(s) in owner or operator occur?

N/A

### Components (Multimedia) for the Site Are Listed in Sections A - J

### A. Final Orders, court judgments, and consent decrees:

Effective Date: 09/30/2012

ADMINORDER 2012-0570-PWS-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)

30 TAC Chapter 290, SubChapter F 290.110(b)(4)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failure to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum of 0.2 mg/L free chlorine as per agency regulations.

Effective Date: 03/21/2013

Classification: Moderate

ADMINORDER 2012-1904-PWS-E (1660 Order-Agreed Order With Denial)

Citation: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)

30 TAC Chapter 290, SubChapter F 290.110(b)(4)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: Failure to maintain a free chlorine residual of at least 0.2 milligrams per liter (mg/L) throughout the

distribution system. EIC B19c(6) MOD(2)(G)

Page 1 of 2

3 Effective Date: 08/08/2013 ADMINORDER 2013-0569-PWS-E (1660 Order-Agreed Order With Denial)
Classification: Major

Citation: 30 TAC Chapter 290, SubChapter D 290.46(q)(1)

30 TAC Chapter 290, SubChapter D 290.46(q)(2)

Description: Failure to issue a boil water notice.

EIC A12d(4)

B. Criminal convictions:
C. Chronic excessive emissions events:
D. The approval dates of investigations (CCEDS Inv. Track. No.):
N/A

Written notices of violations (NOV) (CCEDS Inv. Track. No.): N/A

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

F. Environmental audits:

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

### Compliance History Report

Respondent:

CN600653646, ALTOGA WATER SUPPLY CORPORATION

Regulated Entity:

RN101436152, ALTOGA WSC

### **Component Appendices**

### Appendix A

### All NOVs Issued During Component Period 4/7/2010 and 4/7/2015

1

Date:

08/09/2012

(1015674)

CN600653646

Classification:

Moderate

Self Report?

For Informational Purposes Only 30 TAC Chapter 290, SubChapter D 290.42(e)(2)

Citation:

Description:

Failure to disinfect groundwater prior to distribution.

EIC B18 MOD(2)(G)

Classification:

Moderate

Self Report?

NO

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter D 290.46(r)

Description:

Failure to maintain the system at a minimum pressure of 35 psi at all points within the distribution network at flow rates of at least 1.5 gallons per minute per connection. The water system must maintain a minimum pressure of 20 psi under

combined fire and drinking water flow conditions.

EIC B19(c5) MOD(2)(G)

Classification:

Moderate

Self Report?

For Informational Purposes Only

NO Citation:

30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A) 30 TAC Chapter 290, SubChapter F 290.110(b)(4)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description:

Failure to maintain a free chlorine residual of at least 0.2 milligrams per liter

(mg/L) throughout the distribution system.

EIC B19c(6) MOD(2)(G)

Classification:

Minor

Minor

Self Report?

NO

For Informational Purposes Only

Citation: Description: 30 TAC Chapter 290, SubChapter D 290.46(m) Failure to maintain the chlorine injection pump.

EIC C4 MIN(3)(D)

Classification:

Self Report?

NO

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter D 290.43(c)(2)

30 TAC Chapter 290, SubChapter D 290.46(m)(1)(A)

Description:

Failure to maintain the ground storage tank and seal on hatch.

EIC B18 MIN(3)(D)

#### Appendix B

### All Investigations Conducted During Component Period April 07, 2010 and April 07, 2015

(981203)

Item 1

February 28, 2012\*\* For Informational Purposes Only

Item 2

June 20, 2013\*\*

For Informational Purposes Only

(1124831)

Item 3

August 05, 2014\*\*

For Informational Purposes Only

<sup>\*</sup> NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

<sup>\*</sup> No violations documented during this investigation

<sup>\*\*</sup>Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEVAC COMMICCIONI ON
ALTOGA WATER SUPPLY	<b>§</b> .	TEXAS COMMISSION ON
CORPORATION	§	
RN101436152	§	ENVIRONMENTAL QUALITY

### AGREED ORDER DOCKET NO. 2015-0527-PWS-E

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ALTOGA WATER SUPPLY CORPORATION (the "Respondent") under the authority of Tex. Health & Safety Code ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

### I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located at 4365 Farm-to-Market Road 75 near Princeton, Collin County, Texas (the "Facility") that has approximately 246 service connections and serves at least 25 people per day for at least 60 days per year.

- During an investigation conducted from January 6, 2015 through January 7, 2015, TCEQ 2. staff documented that on January 6, 2015, the water entering the distribution system had free chlorine residuals of 0.05 milligrams per liter ("mg/L") at 4365 Farm-to-Market Road 75 and 0.10 mg/L and 7001 County Road 1218. Additionally, the following free chlorine residuals were measured in the distribution system: 0.13 mg/L at Farm-to-Market Road 1827 at County Road 988, 0.04 mg/L at the flush valve on County Road 463 and 0.03 mg/L at Stiff Point Circle. On January 7, 2015, it was documented that free chlorine residuals within the distribution system were 0.03 mg/L at Farm-to-Market Road 1827 and County Road 988, 0.02 mg/L at the flush valve on County Road 463 and 0.03 mg/L at Stiff Point Circle.
- During an investigation conducted from January 6, 2015 through January 7, 2015, TCEQ 3. staff documented that the Respondent did not complete Customer Service Inspection ("CSI") certificates for the following active service connections:

(1) 4383 County Road 463

(2) 787 High Point Drive

(3) 8004 County Road 466

(4) 755 High Point Drive

(5) 8010 County Road 466

(6) 4337 County Road 463

(7) 4233 County Road 463

(8) 4464 County Road 463

(9) 714 High Point Drive

(10) 7916 County Road 466

(11) 4320 County Road 463

(12) 707 High Point Drive

(13) 4390 County Road 463

(14) 750 High Point Drive

(15) 4255 County Road 463

- The Respondent received notice of the violations on February 28, 2015. 4.
- The Executive Director recognizes that: 5.
  - On January 7, 2015, free chlorine measured in the water entering the distribution a. system was a minimum of 0.2 mg/L; and
  - b. By May 5, 2015, the Respondent submitted copies of CSI certificates for the following active service connections:

(1) 4383 County Road 463

(2) 787 High Point Drive

(3) 8004 County Road 466

(4) 755 High Point Drive

(5) 8010 County Road 466

(6) 4337 County Road 463

(7) 4233 County Road 463

(8) 4464 County Road 463

(9) 714 High Point Drive

(10) 7916 County Road 466

(11) 4320 County Road 463

(12) 707 High Point Drive

(13) 4390 County Road 463

(14) 750 High Point Drive

(15) 4255 County Road 463

### II. CONCLUSIONS OF LAW

- 1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Commission.
- 2. As evidenced by Findings of Fact No. 2, the Respondent failed to maintain a minimum disinfectant residual of 0.2 mg/L free chlorine in the water entering the distribution system and throughout the distribution system at all times, in violation of 30 Tex. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(2) and (b)(4) and Tex. HEALTH & SAFETY CODE § 341.0315(c).
- 3. As evidenced by Findings of Fact No. 3, the Respondent failed to complete a CSI certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe that cross connections or other potential contamination hazards exist, in violation of 30 Tex. Admin. Code § 290.46(j).
- 4. Pursuant to Tex. Health & Safety Code § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
- 5. An administrative penalty in the amount of One Thousand Two Hundred Five Dollars (\$1,205) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Health & Safety Code § 341.049(b). The Respondent has paid the One Thousand Two Hundred Five Dollar (\$1,205) administrative penalty.

### III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

The Respondent is assessed an administrative penalty in the amount of One Thousand Two Hundred Five Dollars (\$1,205) as set forth in Section II, Paragraph 5 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ALTOGA WATER SUPPLY CORPORATION, Docket No. 2015-0527-PWS-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
  - a. Immediately upon the effective date of this Agreed Order, begin maintaining a minimum disinfectant residual of 0.2 mg/L free chlorine throughout the distribution system at all times, in accordance with 30 Tex. ADMIN. CODE §§ 290.46 and 290.110;
  - b. Within 15 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision 2.d. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.;
  - c. Within 30 days after the effective date of this Agreed Order, update the Facility's operational guidance and conduct employee training to ensure that a disinfectant residual concentration of at least 0.2 mg/L free chlorine is maintained in the water entering the distribution system and throughout the distribution system at all times, in accordance with 30 Tex. Admin. Code §§ 290.46 and 290.110. This provision will be satisfied upon six months of compliant weekly monitoring and reporting. Monitoring results shall be submitted to the addresses listed in Ordering Provision No. 2.d; and
  - d. Within 225 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c.

The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

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The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2309 Gravel Drive Fort Worth, Texas 76118-6951

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission,

### ALTOGA WATER SUPPLY CORPORATION DOCKET NO. 2015-0527-PWS-E Page 6

including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under Tex. Bus. Org. Code § 1.002.

9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142.

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# SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director	9/11/15
For the Executive Director (	Date
I, the undersigned, have read and understand ALTOGA WATER SUPPLY CORPORATION. Order on behalf of ALTOGA WATER SUPPLY terms and conditions. I further acknowledge penalty amount, is materially relying on such	I am authorized to agree to the attached Agreed CORPORATION, and do agree to the specified that the TCEO, in accepting payment for the
right to an evidentiary hearing, and the right t	thts, including, but not limited to, the right to agreed Order, notice of an evidentiary hearing, the o appeal. I agree to the terms of the Agreed Order Order constitutes full and final adjudication by
<ul> <li>additional penalties, and/or attorney fe</li> <li>Increased penalties in any future enfor</li> </ul>	nt, may result in: ry; rions submitted; neral's Office for contempt, injunctive relief, ees, or to a collection agency:
• TCEQ seeking other relief as authorized	d by law.
in addition, any talsification of any compliance	e documents may result in criminal prosecution.
Ruby Signature	5/27/2015 Date
Robert Lockhort Name (Printed or typed) Authorized Representative of ALTOGA WATER SUPPLY CORPORATION	5/27/2015 Date President Title

**Instructions**: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.